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BY:

ARIZONA STATE VETERINARY MEDICAL EXAMINING BOARD
9535 E. DOUBLETREE RANCH ROAD, SUITE 100, SCOTTSDALE, AZ 85258
PHONE (602) 364-1PET (1738) FAX (602) 364-1039
VETBOARD.AZ.GOV

COMPLAINT INVESTIGATION FORM

If there is an issue with more than one veterinarian please file a separate Complaint Investigation Form for each veterinarian

PLEASE PRINT OR TYPE

FOR OFFICE USE ONLY

Date Received: July 10, 2017 Case Number: 18-02

A. THIS COMPLAINT IS FILED AGAINST THE FOLLOWING:

Name of Veterinarian/CVT: Nichole Westerweel

Premise Name: Surprise Animal Hospital
Premise Address: 13954 W. Waddell Rd., suite 109
City: Surprise State: Az Zip Code: 85379
Telephone: (623) 584-8160

B. INFORMATION REGARDING THE INDIVIDUAL FILING COMPLAINT*:

Name: Robert Ozinga
Address: [REDACTED]
City: [REDACTED] State: [REDACTED] Zip Code: [REDACTED]
Home Telephone: _____ Cell Telephone: [REDACTED]

*STATE LAW REQUIRES WE HAVE TO DISCLOSE YOUR NAME UNLESS WE CAN SHOW THAT DISCLOSURE WILL
RESULT IN SUBSTANTIAL HARM TO YOU, SOMEONE ELSE OR THE PUBLIC PER A.R.S. § 41-1010. IF YOU HAVE
REASON TO BELIEVE THAT SUBSTANTIAL HARM WILL RESULT IN DISCLOSURE OF YOUR NAME PLEASE PROVIDE
COPIES OF RESTRAINING ORDERS OR OTHER DOCUMENTATION.

C. PATIENT INFORMATION (1):

Name: Skipper

Breed/Species: Vizsla/Dog

Age: 5 months Sex: Female Color: Redish Gold

PATIENT INFORMATION (2):

Name: _____

Breed/Species: _____

Age: _____ Sex: _____ Color: _____

D. VETERINARIANS WHO HAVE PROVIDED CARE TO THIS PET FOR THIS ISSUE:

Please provide the name, address and phone number for each veterinarian.

Nichole Westerweel
13954 W. Waddell Rd.
Surprise, Az
85379
623-584-8160

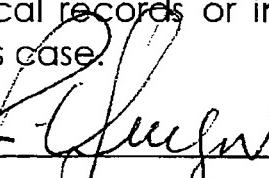
E. WITNESS INFORMATION:

Please provide the name, address and phone number of each witness that has direct knowledge regarding this case.

None

Attestation of Person Requesting Investigation

By signing this form, I declare that the information contained herein is true and accurate to the best of my knowledge. Further, I authorize the release of any and all medical records or information necessary to complete the investigation of this case.

Signature: 

Date: 7-6-19

F. ALLEGATIONS and/or CONCERNS:

Please provide all information that you feel is relevant to the complaint. This portion must be either typewritten or clearly printed in ink.

On 8-30-2016 I took Skipper to Surprise Animal hospital for a health check. I had just rescued her from San Antonio, TX

During the examination I disclosed that she was from Texas. Dr.Westerweel intermediately stated that there were "very nasty bugs in Texas that defecated around a dog's mouth and caused a fatal decease"

She strongly suggested a submit a FECAL sample which I did.

The result was negative but she did say that she had Giardia.

I agreed to treatment.

The next day or so I researched Giardia and "nasty bugs in Texas".

Skipper had none of the symptoms associated with Giardia.

The "bugs" turned out to be " Kissing Bugs", which are also prevalent in AZ., and the decease is called CHAGAS which is incurable.

Chagas is NOT found in FEACES. It's found in BLOOD.

Considering Dr. Westerweel ignorance and Skipper lack of symptoms I can't but conclude that the test was unnecessary and the result fake and a cover-up.

Narrative account of board complaint Case# 18-02

On August 30th, 2016 I evaluated "Skip" Ozinga, a (at that time) 5 month old female intact visla for a wellness exam. At the beginning of the appointment, Mr. Ozinga wanted me to know some general information about himself as a pet owner. He stated he was "old school" and didn't like vets giving a lot of recommendations or medications. He stated that in the past he has dealt with vets that were only out for the money. He prefers to let things heal on their own and likes to avoid antibiotics in general. I told him I understood and that we would only recommend things that were deemed medically necessary. I proceeded with examining the pet.

During the wellness exam, preventative care was discussed including checking a fecal sample for intestinal parasites. The pet had recently come from Texas, so I stressed the importance of checking a fecal sample. I did use the verbiage "We can see some nasty parasites and bugs" from Texas. When I said "bugs" I was using more a relaxed reference to intestinal parasites, not physical kissing bugs or other insects that Mr. Ozinga is referring to. At no point was Chagas disease discussed or alluded to. I did not tell Mr. Ozinga that the fecal test was to specifically test for Chagas disease, but rather intestinal parasites as a part of routine health screening. I never said that bugs defecated around a dog's mouth and caused fatal disease. From what I recall, I may have referenced fecal-oral transmission of gastrointestinal parasites but I cannot say concretely as it has been nearly a year since his visit. In addition I did not discuss giardia because we did not know at that time the pet was positive. Mr. Ozinga did not bring up Chagas disease during his appointment. We also discussed spaying the pet and the benefits of this for her long term health.

At the end of the exam, Mr. Ozinga relayed to me that he appreciated the time I took with him and how I handled Skip. I told him I was glad he had a good experience and to let us know if he needs anything further. The appointment concluded and I left the room. Our standard "puppy pack" was given to him by the assistant, as well as a fecal collection cup. Mr. Ozinga paid for services and left with Skip. That is the last time I had contact with him.



Dr. Nichole Westerweel

DOUGLAS A. DUCEY
- GOVERNOR -



VICTORIA WHITMORE
- EXECUTIVE DIRECTOR -

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INVESTIGATIVE COMMITTEE REPORT

TO: Arizona State Veterinary Medical Examining Board

FROM: PM Investigative Committee: Robert Kritsberg, D.V.M. - Chair

Donald Noah, D.V.M. - **Absent**

Adam Almaraz

Amrit Rai, D.V.M.

Tamara Murphy

STAFF PRESENT: Tracy Riendeau, CVT, Investigations

Sunita Krishna, Assistant Attorney General

RE: Case: 18-02

Complainant(s): Robert Ozinga

Respondent(s): Nichole Westerweel, DVM (License: 4890)

SUMMARY:

Complaint Received at Board Office: 7/10/17

Committee Discussion: 9/12/17

Board IIR: 10/18/17

APPLICABLE STATUTES AND RULES:

Laws as Amended July 2014

(Salmon); Rules as Revised September
2013 (Yellow)

On August 30, 2016, "Skipper," a 5-month-old female Vizsla was presented to Respondent for a wellness exam. Due to the dog's recent adoption from Texas, she recommended a fecal test.

The following day, the test revealed a giardia positive result. Respondent's associate left Complainant a message regarding the recommended medications for treatment. Complainant picked up the medication.

Several days later Complainant sent an email expressing his dissatisfaction with the care and services provided to his dog.

Complainant contends Respondent was negligent in the care of the dog.

Complainant was noticed and did not appear.

Respondent was noticed and appeared with counsel, David Stoll.

The Committee reviewed medical records, testimony, and other documentation as described below:

- Complainant(s) narrative: Robert Ozinga
- Respondent(s) narrative/medical record: Nichole Westerweel, DVM

PROPOSED 'FINDINGS of FACT':

1. On August 30, 2016, the dog was presented to Respondent for a wellness exam. Upon exam, the dog had a weight = 34.4 pounds; TPR vitals not seen in record. Since the pet was recently acquired from Texas Respondent recommended checking a fecal sample for intestinal parasites. She advised Complainant that they can see some nasty parasites and bugs from Texas. Respondent explained that she used the term bugs as a relaxed reference to intestinal parasites, not physical kissing bugs or other insects.
2. A fecal sample was submitted to the lab and came back positive for giardia.
3. On September 1, 2016, Respondent's associate, Dr. Nguyen left a message for Complainant advising him of the results and recommending starting medications. She requested he call back to approve the medications to be filled.
4. On September 6, 2016, Complainant emailed premise to check on the fecal results as he had not received a voicemail. He wished to correspond through email therefore Complainant was advised of the test results and recommended medications.
5. On September 7, 2016, Complainant picked up the recommended medications, Febendazole and Metronidazole.
6. On September 9, 2016, Complainant sent an email stating that he was misled with respect to the fecal sample test. He researched nasty bugs in Texas and came up with Chagas which is not found in feces and is incurable. Complainant stated that his dog did not have symptoms of giardia, therefore felt that the fecal test was unnecessary and the results were made up.

COMMITTEE DISCUSSION:

The Committee discussed that Respondent handled the case appropriately.

COMMITTEE'S PROPOSED CONCLUSIONS of LAW:

The Committee concluded that no violations of the Veterinary Practice Act occurred.

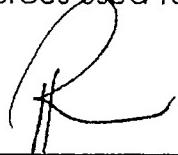
COMMITTEE'S RECOMMENDED DISPOSITION:

Motion: It was moved and seconded the Board:

Dismiss this issue with no violation.

Vote: The motion was approved with a vote of 4 to 0.

The information contained in this report was obtained from the case file, which includes the complaint, the respondent's response, any consulting veterinarian or witness input, and any other sources used to gather information for the investigation.



Tracy A. Riendeau, CVT
Investigative Division